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E-Filed 1/6/2010

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10 Attorneys for Plaintiff
11 FACEBOOK, INC.

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 FACEBOOK, INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 JEREMI FISHER; PHILIP POREMBSKI;
22 RYAN SHIMEALL; and JOHN DOES 1-
23 25, individuals; and CHOKO SYSTEMS
24 LLC; HARM, INC.; PP WEB SERVICES
25 LLC, iMEDIA ONLINE SERVICES LLC,
and JOHN DOES 26-50, corporations,

Defendants.

Case No. C 09-05842 JF

**STIPULATED ORDER AND PERMANENT
INJUNCTION**

26 **WHEREAS** Facebook commenced this action seeking, among other things, a permanent
27 injunction enjoining Defendants Jeremi Fisher, Philip Porembski, Ryan Shimeall, Choko Systems
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1 LLC, Harm, Inc., PPWeb Services LLC, and iMedia Online Services LLC (collectively
 2 “Defendants”) and their officers, agents, servants, and employees, and those persons acting in
 3 concert or participation with them from engaging in an unlawful spam campaign against
 4 Facebook users, unauthorized access to Facebook’s network and Facebook user profiles, and
 5 from otherwise breaching Facebook’s Statement of Rights and Responsibilities;

6 **WHEREAS** Defendants Jeremi Fisher and Choko Systems LLC and Facebook consent to
 7 the entry of a permanent injunction, the terms of which are set forth below:

8 1. Defendants Jeremi Fisher, Choko Systems LLC, and all of their officers, agents,
 9 servants, employees and attorneys, and persons in active concert or participation with him who
 10 receive actual notice of this order are hereby enjoined from:

- 11 a. Initiating or procuring transmission of unsolicited commercial electronic
 12 messages ("spam") on or through Facebook’s computers, Facebook’s
 13 website, Facebook’s networks, or to Facebook users;
- 14 b. Accessing or attempting to access Facebook’s website, networks, data,
 15 information, user information, profiles, computers, or computer systems;
- 16 c. Soliciting, requesting, or taking any action to induce Facebook users to
 17 provide identifying information or representing that such solicitation,
 18 request, or action is being done with Facebook’s authorization or approval;
- 19 d. Purchasing, using, distributing, trafficking in, or selling compromised
 20 Facebook user account information;
- 21 e. Accessing or procuring the access of the accounts of other Facebook users;
- 22 f. Retaining any copies, electronic or otherwise, of any Facebook
 23 information, including user login information or passwords, obtained
 24 through illegitimate or unlawful actions;
- 25 g. Engaging in any activity that alters, damages, deletes, destroys, disrupts,
 26 diminishes the quality of, interferes with the performance of, or impairs the
 27 functionality of Facebook’s computers, computer system computer
 28 network, data, website, or services;

- h. Engaging in any unlawful activities alleged in this action;
- i. Entering or accessing the physical premises or facilities of Facebook or its counsel; or
- j. Engaging in any activity that violates, or encourages, induces or facilitates violations of the Statement of Rights and Responsibilities, attached as Exhibit A to the Complaint in this action.

2. This Stipulated Order and Permanent Injunction is final and may not be appealed by either party.

DATED this 4th day of January, 2010.

PERKINS COIE LLP

By: s/ Brian Hennessey
Brian Hennessey

Attorneys for Plaintiff
FACEBOOK, INC

JEREMI FISHER

By: 

Jeremi Fisher

JEREMI FISHER

By: 


Jeremi Fisher

For: Choko Systems LLC

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter Judgment pursuant to this
3 Order.

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5 Dated: January 6, 2010


The Honorable Jeremy Fogel
United States District Judge

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10 Approved as to form by:

11 **PERKINS COIE LLP**

12
13 By: /s/ Brian Hennessey
14 Brian Hennessey

15 Attorneys for Plaintiff
16 FACEBOOK, INC
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